

PATENT
Attorney Docket No. 501094

#12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James J. Barnat et al.

Art Unit: 3671

Application No.: 09/873,800

Examiner: Raymond W. Addie

Filed: June 4, 2001

For: ROADWAY PAVING SYSTEM AND
METHOD INCLUDING ROADWAY
PAVING VEHICLE SUPPLY TRUCK

Commissioner for Patents
Washington, D.C. 20231

AFFIDAVIT UNDER 37 C.F.R. § 1.131

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1. This declaration is to establish completion and reduction to practice of the invention of this application in the United States at a date prior to July 14, 2000, which is the effective date of the asserted prior patent to Terry, U.S. Patent No. 6,444,258, which was cited by the Patent Examiner.

2. The persons making this declaration are the inventors.

3. To establish the date of completion and reduction to practice of the invention of this patent application, the following attached photographs identified as Exhibits A and B are submitted as evidence. The photographs of Exhibits A and B were taken by a photographer on a date prior to July 14, 2000.

4. The photographs of Exhibits A and B show the invention, as described and claimed in this patent application, was made and performed on a date prior to July 14, 2000. The resulting roadway surface created by the invention is shown in the photograph of Exhibit B.

5. As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application or any patent issued thereon.

Full name of **sole or first inventor**: James J. Batsat

Inventor's signature _____

Date 4/24/03

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Residence: 14559 Sport of Kings Court, Wichita, Kansas
(city/state or country)

Post Office Address: Same
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Full name of **second joint inventor**, if any: Patrick O'Brien

Inventor's signature _____

Date 4/28/03

Country of Citizenship: US

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Post Office Address: Same
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Full name of **third joint inventor**, if any: Harold Dabbs

Inventor's signature _____

Date _____

Country of Citizenship: US

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Full name of **fourth joint inventor**, if any: Jeremy Heller

Inventor's signature Jeremy Heller

Date 4/28/03

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Full name of **fifth joint inventor**, if any: Thomas R. Brown

Inventor's signature Thomas R. Brown

Date 4/28/03

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Full name of **sixth joint inventor**, if any: Tyrone Hannebaum

Inventor's signature Ty Hannebaum

Date 4-28-03

Country of Citizenship: US

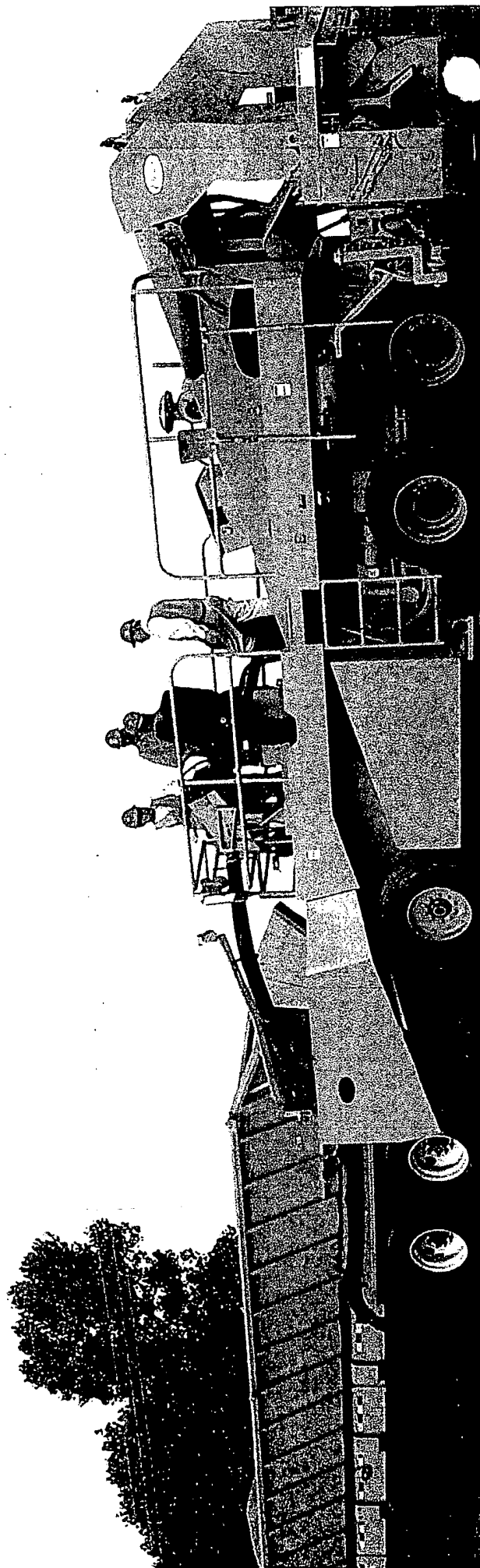
Residence: 1811 East Gate Parkway, Rockford, Illinois 61108
(city/state or country)

Post Office Address: Same
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EXHIBIT

A

tabbies



EXHIBIT

tabbles

B

